

JUDGE SULLIVAN

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

Christopher L. Finazzo

SUMMONS IN A CIVIL ACTION

V.

Securities and Exchange Commission

CASE NUMBER
08 CV 02176

TO: (Name and address of Defendant)

Securities and Exchange Commission
3 World Financial Center, Suite 4300
New York, NY 10281

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Robert J. A. Zito, Esq.
Carter Ledyard & Milburn LLP
2 Wall Street
New York, NY 10005

an answer to the complaint which is served on you with this summons, within 60 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

MAR 04 2008

CLERK

DATE

(By) *Salecia Curtis*
DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	
NAME OF SERVER (<i>PRINT</i>)	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<div style="margin-bottom: 10px;"> <input type="checkbox"/> Served personally upon the defendant. Place where served: </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Returned unexecuted: </div> <div> <input type="checkbox"/> Other (specify): </div>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____ Date _____ Signature of Server _____</p> <p style="text-align: center;">_____ Address of Server _____</p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

Robert J.A. Zito
Michael Shapiro
Alan S. Lewis
Kenneth S. Levine
Laura Anne Reeds

CARTER LEDYARD & MILBURN LLP
2 Wall Street
New York, NY 10005
Tel: (212) 732-3200
Fax: (212) 732-3232
Attorneys for Plaintiff Christopher Finazzo

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	:	
CHRISTOPHER L. FINAZZO,	:	
	:	Case No. 08 CIV 02176 (RJS)
Plaintiff,	:	
	:	
- against -	:	
	:	AFFIDAVIT OF SERVICE
SECURITIES AND EXCHANGE	:	
COMMISSION,	:	
	:	
Defendant.	:	
-----X	:	
STATE OF NEW YORK)		
ss.:		
COUNTY OF NEW YORK)		

EDURIN COLON, being duly sworn deposes and says:

1. I am over the age of eighteen years and am not a party to this action. I am employed by the law firm of Carter, Ledyard & Milburn LLP, attorneys for the Plaintiff.

2. On Wednesday, March 5, 2008 at 12:30 P.M., I personally served true and correct copies of the Summons in a Civil Case, Complaint for Declaratory and Injunctive Relief, Civil Cover Sheet and copies of the individual rules of Judge Richard J. Sullivan and Magistrate Henry Pitman upon the United

States Attorney for the Southern District of New York located at 86 Chambers Street, New York, New York, by delivering and leaving said papers with Jeffrey Oestericher, the Chief Deputy, who is a person designated to accept service on behalf of the United States Attorney for the Southern District of New York.

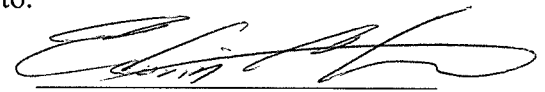
I describe Jeffrey Oestericher as follows: a Caucasian male, approximately 45 years of age, weighing approximately 150 pounds, approximately 5'6" in height, having brown hair and brown eyes.

3. On Wednesday, March 5, 2008 at 12:58 P.M. I mailed true and correct copies of the papers listed in paragraph 2 herein, by placing said papers in two post-paid envelopes addressed:

Attorney General of the United States
U.S. Department of Justice
Room B-103
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

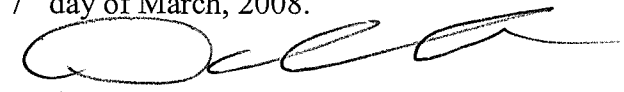
Securities and Exchange Commission
New York Regional Office
3 World Financial Center, Suite 400
New York, NY 10281-1022
Attn: Meaghan Cheung, Esq.

On said day, I deposited said envelopes with a postal clerk at the United States Post Office located at 1 Hanover Street, New York, New York, to be dispatched by certified mail, return receipt requested. The postal receipts for said mailings are attached hereto.


Edurin Colon

Sworn to before me this

7th day of March, 2008.


Notary Public.

ANTONIO MALASPINA
Notary Public, State of New York
No. 01MA4926741
Qualified in Kings County
Certificate filed in New York County
Commission Expires April 18, 2010

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 Street, Apt. No.: *150 Pennsylvania Avenue, NW*
 or PO Box No.: *Room 13-103*
 City, State, ZIP+4: *Washington, D.C. 20530-0001*

PS Form 3800, June 2002 See Reverse for Instructions

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Sent To: *Securities and Exchange Commission - New York*
Regional Office
 Street, Apt. No.: *3 World Financial Center*
 or PO Box No.: *Suite 400*
 City, State, ZIP+4: *New York, New York 10281-1022*

PS Form 3800, June 2002 See Reverse for Instructions